

January 27, 1976

SENATOR R. LEWIS: Thank you.

PRESIDENT: Senator Cavanaugh.

SENATOR CAVANAUGH: This may be the same question. I am not sure. Senator DeCamp, you are saying that if the protestant withdraws his protest and the Commission proceeds and takes no action, that they would then assess the costs against the protestant? Is that what it says?

SENATOR DeCAMP: Say that again.

SENATOR CAVANAUGH: The protestant withdraws his protest, the Commission proceeds to a hearing and then decides against the protestant's position, they would then assess costs?

SENATOR DeCAMP: No, remember, the protestant isn't involved in the cost aspect, here. This only involves either the Liquor Commission paying the cost or the individual who has been denied the license paying the cost.

SENATOR CAVANAUGH: That is not what it says. It says the cost shall be assessed against the protestant in the same manner as if he had...as if the protest had not been withdrawn.

SENATOR DeCAMP: Where do you read?

SENATOR CAVANAUGH: In the bill.

SENATOR DeCAMP: Specifically where in the bill?

SENATOR CAVANAUGH: On page 2. Where are you reading?

SENATOR DeCAMP: I am reading page 255 in the Journal, the amendments I have.

SENATOR CAVANAUGH: Do you strike that part?

SENATOR DeCAMP: I would have to look at the original bill, here. I was looking strictly at the amendments. That is what I was dealing with. I will have to look at that and see what that is. I wasn't concerned about that in my amendments.

PRESIDENT: Is there any further debate by any other member?

SENATOR DeCAMP: This is the Miscellaneous Subjects provision and it was my understanding, and they, of course, can explain this. This is their bill. This portion that you are reading. It was my understanding that that was in there so somebody wouldn't come in and use the old trick of filing a protest merely for the purpose of fording a license or causing confusion in the area, and then withdrawing the protest at the last moment, and this would be a device that would prevent them from using this technique. Do you follow what I mean, and this is the Miscellaneous Subjects Committee portion.